

REMARKS

This paper is presented in response to the Office Action. Claims 1, 2, 4, and 5 are amended. Claims 1-23 remain pending in the application.

Reconsideration of the application is respectfully requested in view of the above amendments to the claims and the following remarks. For the Examiner's convenience and reference, Applicant's remarks are presented in the order in which the corresponding issues were raised in the Office Action.

I. Rejection of Claims Under 35 U.S.C. § 112, Second Paragraph

The Examiner has rejected claims 1, 2, 4, 5, 7-15, 20 and 21 under 35 U.S.C. § 112, Second Paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Examiner asserts that the term "proper" used in claims 1, 2, 4, and 5 is a relative term. Applicant respectfully submits that in view of the amendments herein to claims 1, 2, 4, and 5, the rejection has been overcome and should be withdrawn.

II. Obviousness Type Double Patenting Rejection

The Examiner has rejected claims 1-23 under the judicially created doctrine of obviousness-type double patenting in view of U.S. Patent No. 6,614,583 (the "'583 Patent"). While Applicant disagrees that the claims of the present application are unpatentable over the claims of the '583 Patent, Applicant has submitted herewith a terminal disclaimer relative to the '583 Patent. Applicant submits that in view of the aforementioned terminal disclaimer, the rejection of claims 1-23 has been overcome and should be withdrawn.

III. Incorrect Attorney Docket No.

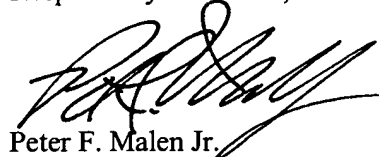
Applicant respectfully notes that the Office Action incorrectly references Attorney Docket No. "GENOA-P003." Pursuant to the Change of Attorney Docket Number filed in this case on June 23, 2003, the correct docket number for this case is 15436.248.3. Applicant thus respectfully requests that all applicable USPTO records be updated accordingly, and Applicant further requests that all further communications from the USPTO reference docket number 15436.248.3.

CONCLUSION

In view of the remarks submitted herein, Applicant respectfully submits that each of the pending claims 1-23 now pending in this application is in condition for allowance. Therefore, reconsideration of the rejections is requested and allowance of those claims is respectfully solicited. In the event that the Examiner finds any remaining impediment to a prompt allowance of this application that could be clarified in a telephonic interview, the Examiner is respectfully requested to initiate the same with the undersigned attorney.

Dated this 22nd day of December, 2005.

Respectfully submitted,



Peter F. Malen Jr.
Attorney for Applicant
Registration No. 45,576
Customer No. 022913
Telephone No. (801) 533-9800